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**DELIVER TO:** Examiner Cherry, Euncha P. Art Unit 2872  
**COMPANY:** United States Patent and Trademark Office  
**FAX NUMBER:** (703) 872-9306  
**FROM:** Robert Popa  
**DATE:** November 22, 2004  
**TOTAL NO. OF PAGES (INCLUDING THIS PAGE):** 5  
**SUBJECT :** Response to Second Restriction Requirement  
U.S. Application No. 10/649,075  
Daniel Yap  
"Optical Bond-Wire Interconnections . . ."  
Our Ref: B-3858DIV 620913-1/RPB

**REMARKS:**

Examiner Cherry:

Enclosed is a response to the Office Action mailed on October 20, 2004 consisting of:

Response to second restriction requirement – 4 pages

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PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Yap	)	Group Art No.: 2872
Application No: 10/649,075	)	Examiner: Cherry, Euncha P
Filed: August 26, 2003	)	Re: RESPONSE TO
	)	SECONDRestriction
	)	Requirement
For: "OPTICAL BOND-WIRE	)	Our Ref: B-3858DIV 620913-1/RPB
INTERCONNECTIONS AND	)	
A METHOD FOR	)	
FABRICATION THEREOF "	)	
	)	Date: November 22, 2004

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the second restriction requirement set forth in the Office Action dated October 20, 2004, a reply to which is initially due by November 22, 2004 (Monday). Please consider the following remarks with respect to the subject application. All remarks herein are made without prejudice.

Remarks begin on page 2 of this paper.

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### REMARKS

In the Office Action of October 20, 2004 the Examiner asserts that the present application contains claims directed to two patentably distinct species of the claimed invention, Species I (claims 2-28) and Species II (claims 42 and 43).

The Applicant requests that the Examiner reconsider the requirement for restriction as discussed below.

The Examiner is respectfully reminded that, as set forth in MPEP 816:

'The particular reasons relied on by the examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. The reasons upon which the conclusion is based should be given.'

The Applicant submits that the Examiner, by stating that Species I relates to "*an interconnection for interconnecting microelectronic chips with optical wires comprising a segment of an optical fiber that have two opposite ends, first end and second end, that ends being attached to the microelectronic chips by means of termination*" and Species II relates to "*an optical interconnection for connecting an optical fiber to integrated circuits by optical fibers including an inclined surface for reflecting light,*" has merely concluded that the species as claimed are independent or distinct by repeating portions of the language of some of the claims and has not provided the requisite reasons for that conclusion.

Therefore, the Applicant submits that the restriction requirement set forth in the Office Action of October 20, 2004 is improper.

Applicant further notes that the additional number of Species II claims is only two. The Examiner is respectfully reminded of MPEP 803, which requires that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." In view of the limited number of Species II claims, we submit that

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searching all pending claims would not constitute a serious burden on the Examiner.

As such, reconsideration is respectfully requested and the Examiner is respectfully requested to withdraw the restriction requirement.

However, as required under 35 USC § 121, the Applicant provisionally elects Species I. Claim 1 is generic. Claims 2-28 are directed to Species I.

Should the Examiner decide not to consider Species II claims 42 and 43, the Applicant expects the Examiner to use a consistent test with respect to what matters are obvious and what matters are unobvious throughout the prosecution of this application. Since the Examiner is adopting a particular standard for patentability in this case in terms of the election/restriction requirement, the Applicant will expect that the same test be used throughout the prosecution of this application if the Examiner does not withdraw the election/restriction requirement made in the official action.

\* \* \*

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

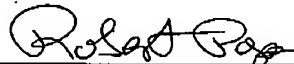
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. (703)-872-9306 on

Respectfully submitted,

November 22, 2004  
(Date of Deposit)

Susan Papp  
(Name of Person Depositing)

Susan Papp  
Signature  
11/22/04  
Date



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